

Subpart O—Flights to and From Cuba

§ 122.151 Definitions.

Under this subpart, the following definitions apply:

(a) *United States*. The term “U.S.” includes the several States, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico.

(b) *Cuba*. The term “Cuba” does not include the Guantanamo Bay Naval Station.

§ 122.152 Application.

This subpart applies to all aircraft entering or departing the U.S. to or from Cuba except public aircraft.

[T.D. 88–12, 53 FR 9292, Mar. 22, 1988, as amended by T.D. 97–82, 62 FR 51770, Oct. 3, 1997]

§ 122.153 Limitations on airport of entry or departure.

(a) *Aircraft arrival and departure*. The owner or person in command of any aircraft clearing the United States for or entering the United States from Cuba, whether the aircraft is departing on a temporary sojourn or for export, must clear or obtain permission to depart from, or enter at, the Miami International Airport, Miami, Florida; the John F. Kennedy International Airport, Jamaica, New York; the Los Angeles International Airport, Los Angeles, California; or any other airport that has been approved by CBP pursuant to paragraph (b) of this section, and must comply with the requirements in this part unless otherwise authorized by the Assistant Commissioner, Office of Field Operations, CBP Headquarters.

(b) *CBP approval of airports of entry and departure*.

(1) *Airports eligible to apply*. An international airport, landing rights airport, or user fee airport (as defined in § 122.1 and described in subpart B of this part) that is equipped to facilitate passport control and baggage inspection, and otherwise process international flights and has an Office of Foreign Assets Control (OFAC) licensed carrier service provider that is prepared to provide flights between the airport and Cuba, may request CBP ap-

proval to become an airport of entry and departure for aircraft traveling to or from Cuba.

(2) *Application and approval procedure*. The director of the port authority governing the airport must send a written request to the Assistant Commissioner, Office of Field Operations, CBP Headquarters, requesting approval for the airport to be able to accept aircraft traveling to or from Cuba. Upon determination that the airport is suitable to provide such services, CBP will notify the requestor that the airport has been approved to accept aircraft traveling to or from Cuba, and that it may immediately begin to accept such aircraft. For reference purposes, approved airports will be listed on the CBP Web site and in updates to paragraph (c) of this section.

(c) *List of airports authorized to accept aircraft traveling to or from Cuba*. For reference purposes, the following is a list of airports that have been authorized by CBP to accept aircraft traveling between Cuba and the United States.

Location	Name
Atlanta, Georgia	Hartsfield-Jackson Atlanta International Airport.
Austin, Texas	Austin-Bergstrom International Airport.
Baltimore, Maryland	Baltimore/Washington International Thurgood Marshall Airport.
Chicago, Illinois	O'Hare International Airport.
Dallas, Texas	Dallas/Fort Worth International Airport.
Fort Lauderdale, Florida	Fort Lauderdale-Hollywood International Airport.
Fort Myers, Florida	Southwest Florida International Airport.
Houston, Texas	George Bush Intercontinental Airport.
Jamaica, New York	John F. Kennedy International Airport.
Key West, Florida	Key West International Airport.
Los Angeles, California	Los Angeles International Airport.
Miami, Florida	Miami International Airport.
New Orleans, Louisiana	Louis Armstrong New Orleans International Airport.
Oakland, California	Oakland International Airport.
Orlando, Florida	Orlando International Airport.
Pittsburgh, Pennsylvania	Pittsburgh International Airport.
San Juan, Puerto Rico	San Juan Luis Muñoz Marín International Airport.
Tampa, Florida	Tampa International Airport.
West Palm Beach, Florida	Palm Beach International Airport.

[CBP Dec. 11–05, 76 FR 5060, Jan. 28, 2011, as amended at CBP Dec. 12–08, 77 FR 23599, Apr. 20, 2012]